

DECD Project Requirements

Ned Moore, *Office of Brownfield Remediation
and Development (OBRD)*

Contract Closing Documents

FINANCING DOCUMENTS

- | | | |
|-----------|-----|--|
| DECD | 1. | Project Application |
| DECD | 2. | Project Financing Plan and Budget |
| DECD ATTY | 3. | Assistance Proposal |
| DECD ATTY | 4. | Assistance Agreement |
| DECD ATTY | 5. | Escrow Agreement |
| | | Schedule A - Other Documents |
| DECD ATTY | 6. | Certificate of Applicant |
| DECD ATTY | 7. | Negative Pledge and Restrictive Covenant Agreement |
| | a. | Address of Property |
| DECD ATTY | 8. | Promissory Note – If Loan |
| DECD ATTY | 9. | Form of Mortgage – If Loan |
| | a. | Address of Property |
| DECD ATTY | 10. | Environmental Indemnification Agreement |

Contract Closing Documents (Cont.)

GRANTEE'S/BORROWER'S DOCUMENTS – Applicant's Counsel

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|-------------|----|--|
| From Client | 1. | Certified Resolution of Applicant |
| From Client | 2. | Incumbency Certificate |
| | a. | Applicant |
| | b. | Applicant's General Partner (XYZ, LLC)** |
| From Client | 3. | Certified Organizational Documents Applicant |
| | a. | Limited Partnership Agreement** |
| | b. | Certificate of Partnership ** |
| From Client | 4. | Certified Resolution of Applicant's GP ** |
| From Client | 5. | Certified Organizational Documents of ** |
| | | Applicant's General Partner ** |
| | a. | Operating Agreement ** |
| | b. | Articles of Organization ** |
| From Client | 6. | Opinion of Applicant's Counsel |
| From Client | 7. | Certificate of Legal Existence |
| From Client | 8. | Title Insurance Policy |

**Non-Profit & For-Profit Developer

Contract Closing Documents (Cont.)

GRANTEE'S/BORROWER'S DOCUMENTS – Applicant's Counsel (CONT.)

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|-------------|-----|--|
| From Client | 9. | UCC/Tax Lien/Judgment Search ** |
| From Client | 10. | Tax Clearance Letters ** |
| | | a. Corporate Business |
| | | b. Sales and Use |
| From Client | 11. | Department of Labor Status Letter ** |
| From Client | 12. | Hazard and Liability Insurance |
| From Client | 13. | Evidence of Payment of Property Taxes ** |
| From Client | 14. | Title Search |
| From Client | 15. | Permits, Licenses and Approvals |
| From Client | 16. | Project Administration Plan |
| From Client | 17. | Environmental Reports, if requested |
| From Client | 18. | Construction Bid Specs |
| From Client | 19. | Project Design Documents |
| From Client | 20. | Project Work Schedule |
| From Client | 21. | Financing Plan and Budget |

**Non- Profit & For Profit Developer

Requirements During Project Life

- Insurance for the life of the Project
- Construction Signs
- Quarterly Progress Reports
- Semi-Annual Financial Reports (Balance Sheet & Statement of Program Cost)
- All Contracts and Plans of Sub-contractors
- All executed Proposals and Scopes of Work
- Construction – Contracts, Specifications and Plans in Digital Format
- All Final Reports, Phase I Phase II & RAPs and Technical Docs in Digital Format
- Construction Closeout Documents

Requirements: Assessment vs. Remediation

<u>Documents</u>	<u>Assessment/ Study</u>	<u>Abate/ Demo/ Remediate</u>
1. Insurance (until Project Financing Plan & Budget is complete) (municipalities exempt)	Commercial & Workman's Comp.	See Proposal for Insurance Requirements
2. Administrative & Monitoring Plan	X	X
3. Construction Docs (closeout)		X
4. Contracts & Plans – Digital Format (Construction)		X
5. Assessments, RAP, Surveys, Tech Reports in digital format	X	
6. Progress Reports (Quarterly)	X	X
7. Project Sign (for Construction Projects only)		X
8. Proposals/Scopes of Work (LEPs) in Digital Format	X	
9. For Loans – MUST ENROLL IN ONE OF THE VOLUNTARY CLEAN UP PROGRAMS		